

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

STEPHEN WASHBURN,	:	
Plaintiff,	:	Case No. 3:06cv00288
vs.	:	District Judge Thomas M. Rose
MICHAEL J. ASTRUE, Commissioner of the Social Security Administration,	:	Magistrate Judge Sharon L. Ovington
Defendant.	:	

ORDER

This case is before the Court upon Plaintiff's Motion For Allowance Of Attorney Fees Pursuant To 42 U.S.C. §406(b), which the Commissioner does not oppose. (Doc. #17). The Court previously remanded this case to the Social Security Administration for further proceedings, which resulted in a decision favorable to plaintiff including an award of retroactive and ongoing disability benefits. (Doc. #17 at 2 and Exhibit B).

Plaintiff seeks an award of attorney fees in the total amount of \$15,059.25. In the absence of opposition by the Commissioner, Plaintiff's Motion and supporting Exhibits establish that an award of attorney fees is warranted under 42 U.S.C. §406(b) in the amount the Motion he seeks.

Accordingly, the Court hereby **ORDERS** that:

1. Plaintiff's Motion For Allowance Of Attorney Fees Pursuant To 42 U.S.C. §406(b) (Doc. #17) is GRANTED; and
2. The Commissioner shall pay Plaintiff's attorney fees pursuant to 42 U.S.C. §406(b) in the amount of \$15,059.25.

September 2, 2009

***S/THOMAS M. ROSE**

Thomas M. Rose
United States District Judge